

REMARKS/ARGUMENTS

Claims 1-40 remain in the application for further prosecution. Claims 1, 15 and 37-40 have been amended.

Claim Rejections - 35 U.S.C. § 103

Claims 1-28 and 37-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,544,120 (“Ainsworth”) in view of U.S. Publication No. 2002/0047238 (“Ainsworth et al.”).

Claims 29-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,544,120 (“Ainsworth”) in view of U.S. Patent No. 6,749,504 (“Hughs-Baird”).

Interview Summary

The Applicant notes with appreciation the interview conducted with Examiners Torimiro and Hotaling on May 7, 2008. In the Interview, applicant reviewed the features of the claims in view of Ainsworth et al. Applicant noted that Ainsworth does not teach inserting symbols between those symbols of a first array to create a new second array. Applicant discussed the proposed amendments to the claims relating to adding a second plurality of symbols without replacing any of the first plurality of symbols. Applicant noted that Ainsworth et al. does not disclose creating a second array without replacing any of the symbols of the first array by inserting symbols since Ainsworth creates an entirely new array. The Examiners agreed to fully and fairly consider this written response.

Amendments to Claims 1, 15, and 37-40

Applicant has amended claims 1, 15 and 37-40 to require that “the second array including the second plurality of symbols and the first plurality of symbols in the first array without

replacing any of the first plurality of symbols.” As discussed in the interview, Ainsworth does not disclose creating the second array by adding a second plurality of symbols between at least some of the first plurality of symbols. In addition, Ainsworth et al. does not disclose the second array having the first plurality of symbols without replacing any of the first plurality of symbols. As discussed, Ainsworth et al. replaces at least some of the first plurality of symbols to display the second array shown in Fig. 2. In fact, Ainsworth et al. does not even disclose that the array in Fig. 2 is a result of the array in Fig. 1. The arrays in Figs. 1 and 2 of Ainsworth et al. would be viewed as entirely different arrays by one of ordinary skill in the art since many of symbols are different. Therefore, combining Ainsworth and Ainsworth et al. would not yield the claimed elements. Applicant respectfully submits that claims 1-28 and 37-40 and their dependents are allowable over Ainsworth and Ainsworth et al.

Claims 29-36 Are Allowable

The Office Action has cited Ainsworth in combination with Hughs-Baird against claims 29-36. The Office Action concedes that Ainsworth does not teach that modifier symbols are used that can be added to the first array to form a second array or used to modify the array to form a modified array where the modifier symbols represent a mathematical function. The Office Action has asserted that Hughs-Baird discloses a modifier/multiplier feature. As the Office Action notes, Hughs-Baird discloses a bonus scheme where a player picks various squares that may disclose credits or a multiplier. Hughs-Baird does not disclose or suggest the application of modified arrays based on adding symbols since the squares are part of a separate bonus board and are not the arrays of the basic game as in the present claims. Further, Hughs-Baird is premised on a player picking different squares to reveal awards. (Col. 5, l. 66 to Col. 6, l. 12). One of ordinary skill would not combine the concepts of Hughs-Baird with Ainsworth as

the concepts are opposite and unrelated. Ainsworth does not involve any player input while Hughs-Baird relies on players picking a square which may be a multiplier. Further, Ainsworth relates to paylines based on an array of visual symbols while Hughs-Baird has a static series of blocks. In addition, there is no suggestion of any type of modifier symbols in Ainsworth let alone a scheme such as that disclosed by Hughs-Baird. Applicant respectfully submits that there is no rationale to combine Hughs-Baird and Ainsworth.

Even if Hughs-Baird and Ainsworth were combined, claims 29-36 would still be allowable. These claims all require randomly selecting a plurality of modifier symbols. Hughs-Baird does not randomly select a plurality of modifier symbols as each of the modifiers in Hughs-Baird are fixed. Further, Hughs-Baird does not select a plurality of modifier symbols as only a single multiplier is selected by a player at a single time. Applicant respectfully submits that claims 29-36 are allowable over Ainsworth and Hughs-Baird.

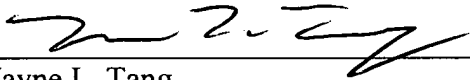
Conclusion

It is Applicant's belief that all of the claims are now in condition for allowance and actions towards that effect is respectfully requested.

If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the number indicated.

Respectfully submitted,

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